

NEW YORK HERALD.

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EDITOR AND PROPRIETOR.

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AMUSEMENTS THIS AFTERNOON AND EVENING.

BROADWAY THEATRE. Broadway, near Broome street.—ALBION, THE WONDERFUL SCAM—CINDERELLA.

NEW YORK THEATRE. Broadway, opposite New York Hotel.—BIRD OF PARADISE.

GERMAN OPERA. Olympic Theatre, Broadway.—FAUST.

CLINTON HALL. Ashor place.—VALENTINE VOEDEN, THE GREAT FANTASTICAL MEN.

WORTHINGTON HALL, 80 Broadway.—PROFESSOR HARTS WITH HIS MIMICRY.—THE HEAD IN THE AIR—THE INDIAN BASKET TRICK—PROTEUS.

SAN FRANCISCO MINSTRELS. 35 Broadway, opposite the Metropolitan Hotel.—IN THEIR OWN STRAITS.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.

FIFTH AVENUE OPERA HOUSE. No. 2 and 4 West Twenty-ninth street.—GRUFFIN & CRISTIE'S MINSTRELS.—ETHIOPIAN MINSTRELS. BROADWAY, 22—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.

KELLY & LEON'S MINSTRELS. 72 Broadway, opposite New York Hotel.—IN THEIR OWN STRAITS.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.

TONY PASTOR'S OPERA HOUSE. 201 Broadway.—COMIC VOICES.—NIGHT MINSTRELS. HALLS DIVERSITY.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.

CHARLEY WHITE'S COMBINATION TROUPE. At Metropolitan Hall, 42 Broadway.—A VARIETY OF LIGHT AND LAUGHING ENTERTAINMENTS. COMEDY OF THE INCH.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.

HOOVER'S OPERA HOUSE. BROADWAY, 22—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.

MRS. F. R. CONWAY'S PARK THEATRE. Brooklyn.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.

THE BUNYAN TABLEAU. Union Hall, corner of Twenty-third street and Broadway.—MORNING MINOR OF PLEASURE.—SIXTY MAGNIFICENT SCENES.

NATIONAL HALL. Harlem.—M. R. G. HOLDER'S CONCERT.

COOPER INSTITUTE. Eighth street.—DR. HERMAN'S ILLUSTRATED LECTURES ON HEALTH.

NEW YORK MUSEUM OF ANATOMY. 43 Broadway.—HEAD AND RIGHT ARM OF PHOENIX.—THE WASHINGTON TROUPE.—WINTER AND SPRING.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.

DRURY'S NEW ART ROOMS. 85 Broadway.—GRAND EXHIBITION OF PAINTINGS.—ROMA BURNING.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.—THEY SING, DANCE AND TALK.—COMEDY OF THE INCH.

TRIPLE SHEET.

New York, Tuesday, February 5, 1867.

THE NEWS.

EUROPE.

By the Atlantic cable we have an interesting news report dated yesterday evening, February 4. General Dix has had an audience of Prince Napoleon. The people of Paris subscribe liberally to the Cretan patriot relief fund. Lord George has resigned the office of British Minister to the French Court. Count Belcredi, President of the Council of State of Austria, has resigned, and a radical change in the Austrian Cabinet is looked for. Food riots occurred among the laborers on one of the Belgian railroads, during which the military fired and killed some of the workmen. The movement of the laborers is extending. Prussia and Bavaria are endeavoring to negotiate a treaty, offensive and defensive. Russia has established a direct postal communication with Peking, China.

An iron-clad vessel built in England for Maximilian's service is about to sail for Vera Cruz.

Consols closed at 90 3/4 for money in London at noon. United States consols at 72 1/2.

The Liverpool cotton market closed at a decline of one-fourth of a penny, and dull. Breadstuffs dull.

On the Paris and Frankfurt Bourses United States five-twenty experienced a slight decline. The Bank of Amsterdam lowered its rate of discount from four to three and a half per cent.

Our special correspondence and newspaper mail department published to-day contain matter of much interest.

CONGRESS.

In the Senate, yesterday, a resolution was reported from the Judiciary Committee to pay the Senators from Tennessee from the beginning of the Thirty-ninth Congress. This led to some debate, one member contending that they should be paid only from the date of their election, as it would serve as a precedent for future payment to the Senators elect from the unrepresented States. The further consideration of the resolution was then postponed. Mr. Williams, of Oregon, presented a bill to constitute each of the so-called Confederate States a military district, to be governed by a regular officer not below the grade of brigadier general, who shall have power to organize military commissions when necessary in his judgment, and his approval shall be required on all sentences of such military commissions affecting the liberty or life of any person. The bill also provides that writs of habeas corpus may be issued in behalf of prisoners in military custody only when endorsed and approved by the officer commanding the district. It was referred to the committee on Reconstruction. A bill abolishing imprisonment for debt was introduced and referred to the Judiciary Committee. The Judiciary Committee reported adversely to the resolution declarative of the principle of the constitution in relation to the writ of habeas corpus; also favorably, with amendment, its bill allotting to the justice of the Supreme Court among the circuit and the bill providing that claims for damages furnished for the use of armies shall not be paid where the claims originated in the insurrectionary States. The bill granting aid for the construction of the Central Pacific Railroad was passed. The bill to regulate the tenure of office was next in order, but was postponed, and the bankrupt bill was taken up. Pending its consideration the Senate adjourned.

In the House, under the call, Mr. Kelly introduced a bill making it unlawful for the Secretary of the Treasury to sell any gold now or hereafter, which was referred to the Committee on Banking and Currency. Mr. Grinnell introduced a resolution that the public interest demands that there shall not be any reduction of the amount of outstanding United States notes, called greenbacks, during the current year, and instructing the Committee on Ways and Means to report a bill to effect that object. The resolution was adopted without a division. Bills to provide for the resumption of specie payments and to provide against the undue expansion or contraction of the currency were referred to appropriate committees. Mr. Kelso's impeachment resolutions were referred to the Judiciary Committee. A series of resolutions extending suffrage to women were offered, but were rejected by a vote of 100 yeas to 100 nays. A resolution declaring it to be the opinion of the House that the public interest will not justify a greater curtailment of the national circulation than four millions per month was offered, but giving rise to debate was laid over until Monday next. Another resolution, embodying the same idea, was immediately offered and the previous question was ordered, but the House refused to second the call, and the resolution also went over. A resolution giving the thanks of Congress to the Secretary of War, the Quartermaster General and others for obtaining the names of dead Union soldiers was passed. A resolution directing the Committee on Naval Affairs to inquire into the propriety of removing the Naval Academy at Annapolis to some point in a loyal State, was after some discussion, adopted. The bill for the election of a Congressional printer by the House and the abolition of the office of Superintendent of Public Printing was passed. The House then went into Committee of the Whole, and after some discussion, rejected the Fortification bill. The committee rose, the House confirmed its action and adjourned.

THE LEGISLATURE.

In the Senate yesterday the select committee appointed to investigate certain charges against Senator Cornell, of Street Commissioner of New York, were, at their own request, discharged from further consideration of the subject. Several bills of a private or local character were introduced, and a communication was received from the Governor announcing the death of Washington Hunt. After eulogiums on the merits of the deceased, by senators Crowley and Murphy the Senate adjourned.

In the Assembly the death of Washington Hunt was announced and resolutions of condolence were adopted, whereupon the Assembly adjourned.

THE CITY.

The Board of Aldermen failed to organize yesterday for want of a quorum. The Board of Councilmen met and a resolution was offered to appoint a committee to

take into consideration the mode of celebrating the anniversary of Washington's Birthday. A resolution favoring the widening of Greenwich street was referred to the Committee on Streets.

The Registrar of the Bureau of Records and Vital Statistics, Dr. Harris, sent in his weekly report of deaths yesterday. There were 424 deaths in the city for the week. There were thirteen less deaths, from what was the week ending February 2 than there were during the week previous.

The prospects and liabilities of the Marine Insurance Companies were the topic of conversation in Wall street yesterday. The scrip-holders of the Sun Insurance Company have, it is stated, sent their report to the Insurance Commissioner at Albany. Several of the fire insurance companies are making arrangements to close up business altogether. It is reported that the Receivers of the Columbia Insurance Company, which failed a year ago, have brought action at law against the stockholders, who received a dividend upon their shares a few weeks before the collapse.

The remains of Ex-Governor Washington Hunt were taken to Lockport yesterday for interment. The burial service was read over the body at Trinity chapel, and every public mark of respect was paid to the memory of the deceased by the authorities.

In another column we publish an account of a visit paid to our public schools, with a statement of their condition and many other facts which show what our public schools are and how they are managed.

An article on real estate and rents, which we publish this morning, shows up very clearly the present state of the house and lot market. A very consoling reflection is added for the large army of house hunters now looking about for residences during the year in the fact that rents will not be increased.

In the Superior Court, General Term, yesterday, an argument for a reversal of a judgment was heard in a case where the court had held that a note of hand could be collected upon a verbal promise after the same had become uncollectible by the statute of limitations. Decision reserved.

In the United States Circuit Court yesterday, Judge Smalley presiding, the case of Arthur and Ball against the government for retaining duties paid upon a cargo of damaged shelling, was closed, the court directing the jury to return a verdict in favor of the plaintiff for the amount claimed, subject to the future decision of the court.

An interesting and important charge to a jury, by Judge Daly, upon the subject of warranties, will be found under the head of local reports.

John Barrett was yesterday under examination before Commissioner Osborn on a charge of illegally opening a letter which had been mailed in the usual way in the Post office. A point of law was involved on which the Commissioner received his opinion this morning.

Commissioner Osborn yesterday discharged from further examination the crew of the schooner Alfred Trent, charged by the Captain of the schooner with mutinous conduct on the voyage from the West Indies to this port. There was nothing in the evidence to support the charge.

Thirty-one persons were arraigned in the different police courts yesterday, for violations of the liquor law. The wood moulding mill, No. 89 Eldridge street, was destroyed by fire yesterday morning. The loss is estimated at \$55,000. The land oil factory of Cooke, Brothers & Co., on Henry street, was also destroyed by fire last night, the loss amounting to \$50,000.

The stock market was strong yesterday. Gold was excited and buoyant and closed at 137 1/2.

The merchandise markets were altogether firmer yesterday owing to the advance in gold, and the views of holders were enhanced to a corresponding extent. Foreign merchandise was particularly firm. In domestic produce the chief feature of interest was the reaction in the flour market. Cotton was moderately active though irregular. Coffee was active and firm. On change flour advanced 3c, 10c, with more doing. Wheat was dull and easy, corn was more active and advanced 1c per bushel. Oats were unchanged. The pork market was more active and firmer. Beef and lard ruled active and firm. Freight was generally show. Whiskey active and higher. Petroleum was dull and heavy.

The market for beef cattle ruled dull and heavy, and a slight decline was conceded upon all grades extra, which, being scarce, commanded high prices, and in some instances an advance, selling as high as 17 1/2c a 10c, while good sold at 15c, 16 1/2c, and common all the way from 11c to 14c. Milch cows ruled dull and heavy, the increased receipts tending to depress the market. We quote the range \$40 to \$120, though very choice beef higher prices. Veal calves remained unchanged at 10c a 14c, the latter price for extra. Sheep and lambs have ruled steady throughout the week, with a moderate supply, but closed dull and heavy under freer offerings, though prices were not notably lower; extra commanded 8c, 8 1/2c, and fair lots 7c a 7 1/2c, while common sold at 5 1/2c a 6 1/2c. Under limited receipts, the hog market has ruled decidedly firmer, prices having advanced 1c per lb.; heavy prime corn fed selling as high as 8 1/2c a 8 3/4c. About ten car loads were on sale yesterday, which sold at the following prices:—8 1/2c a 8 3/4c for best quality, 8 1/2c a 8 3/4c for fair to good, and 8c a 8 1/2c for common and rough. Total receipts—4,725 hogs, 92 milch cows, 465 veal calves, 19,032 sheep and lambs and 4,732 swine.

MISCELLANEOUS.

Advises received by the steamer from Rio Janeiro, South America, and forwarded from London by the Atlantic cable, state that a severe explosion, attended by great loss of life, had occurred in Paraguay. Brazil was continuing her preparations for a vigorous prosecution of the war. The Bank of Bahia had been robbed of \$200,000. The United States steamer Juno and Bahia, was at Bahia, the Shamokin and Francisco left Montevideo for a cruise on the 8th of January, and the steamship Guiding Star had left Pernambuco for Bahia.

Our files from Bermuda are dated to the 15th of January. The session of the Colonial Legislature was postponed to the 20th of February. The Royal Gazette of the 15th ultimo says:—Such a succession of storms as have visited these islands during the past ten days is not in the recollection of many of our readers, the wind generally prevailing from southwest to northwest. The barometer is now rising gradually.

Our special correspondence from Jamaica is dated to the 14th of January. The news is not important. The British war steamer Doris, twenty-four guns, Captain Vesey, left Port Royal on the 12th ultimo for Honduras with one hundred and twenty-five men of the Thirtieth West India regiment, under command of Lieutenant Colonel Harley, and Sir G. P. Grant, Governor of the Island, to arrange and settle disturbances with the Indians. Kingston and the islands were quite peaceful.

The Grand Jury of the District of Columbia found an indictment yesterday against John H. Burratt, charging him with the murder of President Lincoln. The Swatara is expected daily, and on her arrival Burratt will be placed in charge of the Marshal of the District. His trial will probably come off at the present term of the Supreme Court. A rumor was in circulation at Washington last evening that the Swatara was in Quantico creek waiting for the ice to be broken up.

Mr. Foster will probably resign his position as President of the Senate about the middle of the month, as is usually the case previous to the adjournment of Congress, that his successor may be chosen.

Our Chihuahua (Mexico) correspondence treats at considerable length of the habits, appearance and numbers of the Indian tribes in Mexico, especially near the American frontier.

The resolution passed some time ago in the Maryland Legislature, ordering an election for Mayor and Council in Baltimore and ejecting the present incumbents, has been repealed, and there will be no election on Wednesday, the day set in the resolution.

The report of the recent Indian massacre on Smoky Hill river is confirmed. A hostile band of Indians were on the Platte, moving southward. A station near Central City, Colorado, was attacked on the 23d ult. Three whites were killed and a large amount of property was stolen.

Lyons, McMahon and five other Fenian prisoners were sent to the Kingston Penitentiary on Saturday. J. H. Welch, the last of the prisoners at Toronto, was discharged on Saturday, no bill being found against him. Our correspondent at Ottawa furnishes a list of the pensions granted to the heroes of Ridgeway and Fort Erie. The members of the Cabinet council are in favor of sending a delegation to consult with Congress regarding a treaty of commerce.

The British ship Scotch Jehan was wrecked on Sunday near San Francisco. No lives were lost. The American schooner Edgewater was wrecked on the reefs of Key West on the 18th ult. The crew reached Cienfuegos in safety.

A list of vessels lost at sea during the last ten years, compiled from authentic records, will be found in our columns this morning.

An interesting account of the yield of precious metals from Oregon and Idaho and Washington Territories will be found in our columns this morning.

The Impachment—Projected Coup d'Etat of Southern Rebels and Northern Copperheads.

"When the sky falls we shall catch the larks." There has recently been a remarkable gathering of Southern Governors and politicians at Washington in consultation with President Johnson. The result is noised abroad as the adoption of a new line of policy on his part to be submitted to the new Congress on the 4th of March, a policy which, it is said, will embrace impartial suffrage to whites and blacks in the rebel States, with the general condition of a reading and writing and a two hundred and fifty dollars property qualification, to be adopted by said States as the basis of restoration. This is suggested as a compromise with Congress; but unfortunately in this light it signifies nothing and will come to nothing. Like the proposition, with the flight of Louis Philippe from his throne, to substitute the young Count de Paris as regent, this overture is "too late," and, moreover, it does not begin to meet the necessities of the case. In truth, however, it is not intended as a compromise. It is only a bit of strategy, a feint, a mere diversion to draw off the enemy.

What, then, is the real purpose of Mr. Johnson? What is the secret of this late gathering of his Southern Governors and Southern managing politicians in the private audience chamber of the White House? What is the explanation of this "happy accord" between Southern rebels, Northern copperheads and the administration? What are they driving at? Outside of the White House there is no mystery about the matter. Southern rebel and Northern copperhead journals are getting up the scarecrow of a coup d'Etat. If driven to the wall, they warn us, Johnson the First will repeat the game of Napoleon the Third, in dispersing the National Assembly of the republic in 1851 at the point of the bayonet. This is in accordance with Mr. Seward's hint of last September, en route to Chicago, that if we will not have Andrew Johnson as President we must have him as King. He will not interfere with the adoption of impeachment resolutions by the House, nor will he resist the motion to bring him to a trial before the Senate; but if they attempt to suspend him in the functions of his office while on trial his reserved power as commander-in-chief of the army and navy is to be brought to bear in the dispersion of Congress after the style of Louis Napoleon or Oliver Cromwell, and in a call upon the militia of the several States to put down any popular demonstrations that may be attempted in support of Congress.

Those Southern Governors and leading rebel politicians who have lately had him by the button hole have probably been giving him promises of "aid and comfort" in any emergency. They have perhaps fallen again under the delusion that "the Yankees won't fight." As for our Northern copperheads, if we may believe them, they are eager for the fray. The Hon. James Brooks, in the crisis indicated, has publicly promised a million of men in support of Mr. Johnson, which is a hundred thousand better than the promise of the Hon. Horace Greeley in support of Abraham Lincoln's emancipation proclamation. The Hon. Fernando Wood would perhaps head another militia, if able to take the field, and the Hon. Ben Wood unquestionably volunteer in the same fight if not preoccupied in his more genial game of fighting the tiger. But, following in the wake of Lieutenant General Brooks, all the Seymours and little "Jack Rogers," of New Jersey; the pious "Jerry Black" and "Old Buck," of Pennsylvania; poor Pierce, of New Hampshire; the great Vallandigham and Pendleton, of Ohio; Voorhees and Milligan, of Indiana, and all the "Sons of Liberty" of the West, will bring up their reserves by millions.

Thus, supported in arms by three or four millions of the Northern peace democracy this time, the Southern rebel States, with President Johnson as their champion, will make short work of Congress, the abolition of slavery, the national debt and all such appendages of the first war for Southern rights. And what then? Why, then, does any one suppose that the mighty coalition would be satisfied with "Andy Johnson"? No. They would send him drift, and Jeff Davis would be released and reinstated instantly, in obedience to the Calhoun doctrine of State rights, and African slavery would be re-established in accordance with the Dred Scott decision and "the constitution as it was." Herein lies our safety against a coup d'Etat from Mr. Johnson. It would not pay him his expenses in any event, and it might bring him face to face with that famous "sour apple tree." Besides, he is a stickler for the constitution, and that instrument is so clear upon this matter of impeachment, and with the power, the modus operandi, of Congress over him is so broadly laid down that there is no getting round it or under it or over it. Having challenged the test he must submit to be broiled upon his own gridiron, and he must abide the consequences; for it is an axiom of Blackstone or Touchstone that "when two ride a horse one must ride behind."

As for the million of men to be led by Field Marshal James Brooks, he will have to enlarge his spectacles to find them. They are Falstaff's men in buckram. It is the old story of insurrection in the North that we had before the war and during the war so much that it has ceased to frighten even the old women who have a government bond or two. It is sheer nonsense to talk of a coup d'Etat by Mr. Johnson, although his present treacherous supporters are urging him to try it. He can place no faith in them; for they seek to use him only to betray him, and he knows it. He knows, too, that Congress is backed by all the Northern States, including three thousand millions of money involved in our national securities and a million of veteran Union soldiers, and he knows that the ultimatum of the North is that of Congress. More than this, he knows, as we know, that all this hue and cry of civil war from his impeachment is all gammon and claptrap, and that the public peace will no more be disturbed by his suspension or removal than it would be by his death or resignation.

There was an unfortunate King of Prussia some time ago who got into the habit of washing his face at the dinner table in his plate of soup. It was from this circumstance found necessary to supersede him in the duties of his office. How, then, can the two houses of Congress be denied the right to impeach, suspend and remove President Johnson for trespassing on their soup and washing his hands in it? And by what authority can he be made to fill the office of President and the office of a criminal at the bar of justice at the same time? The case

is plain. When brought up for trial before the bar of the Senate, as before a criminal court, he will be suspended in his functions as President, and, when convicted, he will be removed, and the response of the country will be amen! And that will be the last of Mr. Johnson.

A New Season of Italian Opera at the French Theatre.

On the 11th of this month, next Monday, a season of Italian opera will be commenced at the French theatre, Fourteenth street, under unusual and highly favorable circumstances. Signor Antonio L. Mora, a gentleman well known in this city for his great ability as a musician and composer, has organized a company of the very best materials. He is backed by parties who are millionaires, and no expense will be spared in having not only the first artists that can be found, but in having everything else, the orchestra, choruses, scenery and all that pertains to the finest representation of the first quality. He is assisted, too, in his efforts to accomplish this by persons of great experience in such matters. We are assured, then, that our music-loving people are about to witness a more brilliant season of opera than we have had for many years.

The parties who are moving in the matter seized the opportunity that has been afforded by the arrival in the city of a famous prima donna, Giuditte Altieri, who has been engaged for the season. This lady, though young, has already acquired a high reputation in Italy, Russia, Germany, Rio Janeiro and other places. With the finest and richest soprano voice, she combines the highest order of talent as an actress. She does not merely sing her rôle admirably, as too many first class artists content themselves in doing, but she thrills her audience by her extraordinary dramatic powers. Added to all this she has great personal beauty, and her charming, graceful manner shows much refinement and cultivation. She may be classed with Malibran, Sontag and Grisi; and since the time of these celebrated artists we have not had, probably, any one equal to her. Indeed, with her advent, by proper management, we may confidently expect a revival of the palmy days of the opera in this country. She will make her first appearance as Violetta in *Traviata*, a rôle in which, probably, she has no equal. We might speak of the laurels she has won as Leonora, in *Traviata*, and as Linda, in the charming opera of *Linda di Chamouni*, while performing in Russia, Germany, Italy and other parts of the world; but the people of New York will have an opportunity of hearing her and judging for themselves. We may mention here that when she sang a few evenings since at a private party in this city, before a select and critical company, they were so delighted that they expressed the desire for a repetition of the charming air at the opera. "I think should meet her eye, we have no doubt she will gratify her admirers."

Besides Giuditte Altieri, the new opera management have engaged as the contralto Miss Adelaide Phillips. It is unnecessary to speak of the fine qualities of this lady as a singer; our people are familiar with them. She stands in the very first rank of her profession and is a valuable acquisition to any opera company. Signor Irie is the tenor, or we may say, perhaps, one of the tenors. With a very sweet and highly cultivated voice he is one of the best musicians and most correct singers in the country. Many will remember how they enjoyed his rich and charming voice, even with all the disadvantages which a singer labored under in the old Academy, otherwise called the catacombs. He will be heard to great advantage in the admirably constructed and well arranged French theatre. It is estimated that Brignoli, the famous and popular tenor, may become one of this superb company. In addition to those we have named Fortune, the well known excellent baritone, and some other artists, who will be fresh to a New York audience, and who come with a high reputation, will belong to the company. On the whole, taking the character of the artists, together with the means and ability of the management, no opera company ever opened a season here with brighter prospects.

The Law on Lotteries.

On Saturday a man of the name of Regan was arrested by the police for selling tickets for the gift enterprise got up for the benefit of the New York Hospital. This proceeding rather surprised the public after the latitude that was given to a recent lottery for the benefit of an individual in Chicago. If the law was violated in one case it was equally so in the other, with this difference—that in the case of Regan the infraction was palliated by the fact that it was committed on behalf of a valuable public charity.

But we contend that the man thus arrested was guilty of no offence. The enterprise with which he was connected was not such an one as was brought him within the provisions of the law against lotteries. If any one entertains a doubt on the subject let him refer back to the proceedings instituted in the case of the Art Union. There it was decided by the inferior courts that the association was a lottery in violation of the law, and its property was confiscated to the use of the Almshouse Commissioners. The case was taken to the Supreme Court, and then to the Court of Appeals, which reversed the decision and declared that the association, being one for mutual benefit, was legal, and that the subscribers had a right to the property, which was accordingly restored to them. This decision defined the class of lotteries which came within the operation of the statute to be those which were got up for gambling purposes and which endangered public morals.

In no sense can the enterprises which give their gains to charitable uses be said to fall within this definition. They are mutual associations for purposes of benevolence, which resort to the form of a lottery for the greater convenience of their operations. To the objections which are started against the danger of their being confounded with the gambling enterprises which are carried on under the same name, we answer that it is easy for those who desire to do it to discriminate between them. They have only to look at their objects and the names of their projectors to satisfy themselves on this point. One advantage must be conceded to lotteries in connection with charitable objects—that they draw money from the pockets of thousands who would not otherwise be disposed to contribute a cent to benevolent purposes.

There can be no better evidence of the harmless character of enterprises of this class than the fact that the clergy are not opposed to

them. On the contrary there is scarcely a church or chapel in the Union which has not been partially built or maintained by their aid. The opposition to them comes from a very different source. The parties stirring in the matter are the gamblers and policy office keepers, who have been making large profits out of the swindling concerns called State lotteries. Their business has been terribly cut up by the new direction which the lottery mania is taking, and they have determined to put a stop to it if possible. They, we understand, are inducing the police to make arrests by the offer of large bribes. The game, however, is a dangerous one, as they will soon find out to their cost. The arrest of Regan is an outrage that will not escape unpunished. He has good ground for a suit for damages against all those concerned in it, and we are glad to learn that steps are being taken to bring the matter immediately before the courts.

The Charges Against the President—A Strong Case.

The conviction is daily becoming more general that the impeachment and removal from office of President Johnson are inevitable. He is little likely to resign, there is but small chance of his yielding, and as the dead lock cannot be allowed to continue, Congress has no choice but to impeach, convict and remove him. It is absurd to imagine that there can be any difficulty in making out a case against him. As we have shown again and again, his stubborn and unconstitutional use of the veto power in numbers of cases in open defiance of the will of the people, as expressed by their legally chosen representatives in Congress assembled, is of itself sufficient to warrant his impeachment and removal. Loudly, however, as his conduct in regard to the veto calls for his removal from office, it is called for on grounds of a totally different and even more serious description.

We have no desire to pry into the doings of the committee which is now collecting evidence with a view to impeachment. We have no doubt they will do their duty. We are willing to wait with patience the appearance of the report which, in all likelihood, they will submit to Congress before the present session is brought to a close. It will be impossible, however, for that committee to overlook the fact that Mr. Johnson has been guilty of a class of offences of a more serious kind than is implied in his abuse of the veto power. It is impolitic and illegal in a chief magistrate, like the President, to assume a doggedly obstructive attitude. It is still more impolitic and illegal in a chief magistrate to assume and to exercise an authority which is not only not vested in his office, but positively forbidden by the terms of the constitution. It was the assumption and exercise of such authority on the part of Charles I. in the case of the ship money which produced the great rebellion and ultimately deprived that monarch of his head. It was precisely similar conduct which drove James II. into exile. Of such conduct—of such wilful usurpation and exercise of authority—President Johnson made himself guilty when he undertook, on his own responsibility and without consulting and consulting Congress, to rearrange the affairs of the subjugated rebel States after the cessation of the war; and for this offence alone, even in the absence of all others, Congress would be justified in impeaching and removing him.

It is impossible to lay too much stress upon this point. It is scarcely conceivable that Mr. Johnson did not know he was acting unconstitutionally. If such an excuse can be made for him, it certainly cannot be made for his Mephistopheles of an adviser, Mr. Seward. When the war was ended it was clearly the duty of the President to summon the members of Congress together, submitting to them what proposals he had to make, but leaving it to them to determine in what manner the subjugated States should be immediately governed and on what principles their reconstruction should be proceeded with. The circumstances in which Mr. Johnson was placed were scarcely less serious—they were certainly not less important—than those in which Mr. Lincoln found himself when, on that memorable 4th of July, the Southern confederacy already in full blast, he summoned Congress to his aid. Mr. Johnson would have acted wisely and saved himself and the country a world of trouble had he imitated the example of his predecessor in office. But he did not do so. In not doing so, it would not be difficult to prove he was guilty of gross dereliction of duty; but this was not all. Not only did he not call Congress together, but, usurping authority which belonged only to the legislative branch of the government, he accomplished a series of acts which are almost without parallel even in the history of despotic rule. The wisdom or the folly of Mr. Johnson's measures is a question altogether aside. Our object at present is to call attention to the fact that Mr. Johnson did on his own responsibility legislate for the South, and that in so legislating he rendered himself amenable to justice. We have said already that Mr. Johnson could scarcely be ignorant that he was acting unconstitutionally. We are encouraged in this belief by the fact that when Congress did assemble he submitted his acts to them for their approval. The non-ratification of his acts by Congress gave birth to that struggle which still exists and which can only be brought to a close by his impeachment and removal. Evidence abundant exists to prove him guilty. Nor will his displacement occasion more inconvenience than would the displacement of a Mayor of New York.

PRESIDENT JOHNSON AND THE NEW TARIFF.

There is a report that the President intends vetoing the new Tariff bill, known as the bill of abominations. We hope the report may prove true; for Congress never proposed a measure more detrimental to the country, more unbecoming as a piece of political philosophy or more absurd in statesmanship than this bill which proposes to rob all classes and cramp our commerce to an extent that must increase the poverty of those who are already poor enough. We hope Mr. Johnson will veto it, and we urge him to do it. He will see the good result from following our advice in this instance, as clearly as he must perceive that a refusal to be guided by us has constantly led him into difficulties. He has made many blunders and is threatened with heavy punishment for his faults; but if by his veto he can save the nation from the infliction of this abominable new Tariff bill, he may even avert the blow now aimed at him by Congress.

The Raid on City Property.

The last batch of corporation jobs, by which it is proposed to sacrifice one of the most valuable pieces of property belonging to the city of New York for one-sixth of its salable value, and to force through a street widening speculation at an enormous expense to the property holders in the immediate vicinity of the pretended "improvement," should not be submitted to patiently by the people. Public meetings should be called at once to protest against the outrage. The piece of property which Hoffman, the Mayor, has agreed to sell to Hoffman, the Commissioner, on the part of the United States, for half a million of dollars, is worth three millions; and if the Corporation possessed the power to dispose of it at all there would be no reason why the people of the city should be stripped of two and a half million dollars in the transaction. The United States government can afford to pay an equitable price for a Post Office site, and would not be contemptible enough to require any such sacrifice on the part of the city of New York, which already bears so large a proportion of the general taxation.

The Corporation Council.

The Corporation Council, Mr. Richard O'Gorman, should not only refuse to sign the conveyance of the Park property, if called upon to do so, as he refused to sign that of a portion of the Battery, but should at once apply for an injunction to prevent the proposed raid upon the public property. He has ably sustained his position—that the Corporation has no right to divert any property set apart for any special public use nor, to sacrifice any of the real estate belonging to the city and pledged for the public indebtedness at less than its fair value. He can readily ascertain from competent authority that the portion of the City Hall Park proposed to be sold for half a million dollars is worth six times that amount. Let him do his duty to the public by using his official position to prevent the consummation of the proposed job. We trust that he will lose no time in procuring a fair valuation of the property, and then apply to the courts for an injunction to prevent its sale for any amount less than its actual value.

A New Financial Job.

The Washington despatches of Saturday last informed us that a delegation of gentlemen prominently connected with the national banking system, including Mr. Jay Cooke, had waited upon the Secretary of the Treasury and made certain representations, which resulted in his doing exactly what these gentlemen and the national banks generally desired him to do. He endorsed a bill which, it is said, will be reported to the Senate during the present week, providing for the issue of a hundred millions of four per cent loan certificates in exchange for compound interest notes. These certificates are to be redeemable in legal tender notes by the Treasury on demand, and they may be held by all national banks as the whole or a portion only of the reserve required by law.

The objections to this measure are of a very decided character. In the first instance it substitutes an interest bearing security where a non-interest bearing one would answer the purpose better—namely, the plain legal tender note. In the next it is inconsistent with the former policy of the government in abolishing the interest on Clearing House certificates. The banks are still holding the latter, although they have ceased to bear interest, simply because they can be used as a portion of their reserve and are convertible into legal tenders on demand. What good reason, therefore, have the promoters of this bill for urging upon Congress such a wanton waste of money?

Moreover, the Treasury, by being constantly liable to be called upon to redeem these certificates, would require to keep a large reserve of legal tender notes on hand, and this would often be either impossible or inconvenient without encroaching upon the reserve of fifty millions of new notes authorized for the redemption of the temporary loan. The proposed bill should, in view of all the circumstances, be promptly tabled as soon as reported in the Senate, and another providing for the issue of plain legal tenders in redemption of compound interest notes introduced in its stead. In this manner a nice little job may be effectually nipped in the bud.

Dirty Streets, Dirty Contracts and Dirty Rings.